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NOTIFICATION

No. B. 12021/1/92-SWD: In exercise of the powers conferred by section 23 of the Prevention of Immoral Traffic Act, 1956 as amended from time to time, the Governor of Mizoram is pleased to hereby make the following Rules, namely :—

Short title and commencement

1. (1) These rules may be called the Mizoram Prevention of Immoral Traffic Rules, 1994.

(2) They shall come into force on and from the date of publication in the Mizoram Gazette.

2. In these rules, unless the context otherwise requires.—

(a) "Act" means the Immoral Traffic Act. 1956 as amended from time to time;

(b) "Board" means the Board of Visitors appointed by the Government under rule 41;

(c) "Chief Inspector" means the person appointed as such by the Government to discharge the functions of the Chief Inspector under these rules;

(d) "Form" means a form appended to these rules;

(e) "Government" means the State Government of Mizoram;

(f) "Licence" means a licence granted under section 21;

(g) "Section" means a section of the Act; and

(h) "Superintendent" means the Principal Officer-in-charge of a Protective Home or Corrective Institution and includes any person specially appointed to discharge the functions of a Superintentent under these rules.

Manner of notifying public places

3. A copy of every order of the District Magistrate notifying a place to be a public place under sub-section (1) of section 7 shall be affixed to a conspicuous part of the public place so notified and also in the court house of the District Magistrate.

Placing of persons in safe custody

4. (1) Where a responsible and trustworthy person belonging to the same religious persuasion as that of a person produced before a Magistrate under sub-section (1) of section 17 is willing to take charge of the person and the Magistrate, acting under sub-section (1), or sub-section (2) of that section, passes an order placing the person in the safe custody of that person, such person shall execute before the Magistrate an undertaking in Form I.

(2) If the person in whose custody the person is placed is no longer willing to fulfil the conditions of the undertaking, he/she may apply to the Magistrate for releasing him/her from the obligation to keep the person in his/her custody.

Detention of person in a Protective home or Corrective institution

5. Where, in pursuance of sub-section (1) of section 10A or sub-section (4) of section 17, or sub-section (3) of section 19, a Magistrate passes an order directing that a person be detained in a protective home or corrective institution, a warrant of detention in Form II shall be prepared in duplicate and shall be forwarded to the Superintendent, who shall retain one copy and return the other to the Magistrate after making an endorsement therein that the person referred to in the warrant has been duly taken in his/her charge.

Notification of residence etc. by convicted offenders

6. (1) A convicted offender who has been ordered by the Court under section 11 to notify his/her residence or any change of, or absence from such residence shall, immediately after his/her release, report himself/herself to the Police officer having jurisdiction over his/her place of residence and shall also leave his/her correct address with such Police Officer. Thereafter, he/she shall report himself/herself to such police officer once in every month till the expiry of the period for which he/she is required to notify his/her residence.

(2) When such offender
residence, he/she shall intimate his/her intention to the police officer having jurisdiction over his/her place of residence and also furnish to him the correct address of the intended place of residence. In every such case, the police officer shall send to the Police officer having jurisdiction over the new place of residence a report of the intended change of residence together with full particulars of the convicted offender.

(3) As soon as the offender takes up his/her residence in the new place, he/she shall report himself/herself to the police officer having jurisdiction over that place and shall also report himself /herself to such officer once in every month till the expiry of the period for which he/she is required to notify his/her residence.

(4) If, for any reason, the offender does not change his/her place of residence as originally intended, he/she shall report the fact to the police officer having jurisdiction together with the reasons for such change of intention.

(5) The provisions of sub-rules (2), (3) and (4) shall apply to temporary absence from the place of residence for any period exceeding seven days -

Provided that, in the case of temporary absence the convicted offender shall again report to the police officer as soon as he she returns to the usual place of residence.

(6) Any person who commits a breach of any of the sub-rules (1) to (5) shall be punishable with fine which may extend to two hundred and fifty rupees.

EXPLANATION :- In these rules, 'Police Officer' means the Officer in charge of a police station.

Licencing of Protective Homes and corrective institution

7. (1) Application for a licence under sub-section (3) of section 21 shall be made to the Government in FORM III.

(2) On receipt of an application for licence, the Government shall cause full and complete investigation to be made through an officer or authority appointed in this be half before issuing the licence. The said officer or authority before reporting on the application to the Government shall record the statement of the applicant and the special Police Officer appointed for the area. In addition, he may make enquiries from such Social Welfare Workers or respectable persons of the locality as he may deem necessary, The Government, if satisfied, that the applicant or applicants is or are fit person or persons to whom a licence may be granted, may granted a license in form VI which if granted will remain in force for a period of one year.

(3) An application for the renewal of a licence shall be made in Form V at least thirty days before the date of its expiration. The licence may thereupon be renewed for a like period.

(4) No licence issued or renewed under this rule shall be transferable.

(5) The management of every licenced home shall wherever practicable, be entrusted to women.

(6) The licencee shall comply with all the conditions of the licence and the provisions of the Act and these Rules and shall maintain all registers and accounts in the manner hereinafter laid down and shall submit all statements and returns as prescribed in the rules.

Admission into Protective homes or corrective institutions

8. (1) On the admission of a person into a Protective Home or corrective institution under the provisions of the Act, she shall be examined by the Superintendent, who shall record in the Inmates Register in Form VI, the particulars required to be shown in that register.

(2) The persons admitted into a protective Home or corrective institution shall then be supplied with a new set of cloth and the clothes worn by her at the time of admission shall be destroyed if they are in rags or filthy and verminous conditions. The clothings of every person is to be detained for a period of two years or more shall, if they are not liable to be destroyed, be sold and the proceeds credited to the personal account of the person. In all other cases, the clothings of a person shall be returned to the parent, guardians or relatives of the person, and if it is not possible to do so, shall be washed, tied up in a bundle and stored and returned to the person on her discharge. She shall be given a bath, which shall be of a disinfecting nature.

(3) The Superintendent or some other official of the Protective Home or corrective Institution considered suitable by such Superintendent, shall then take the person to the nearest hospital for examination. If there is no hospital within a reasonable distance, the medical examination of the person shall be conducted by the nearest qualified lady doctor.

(4) Person found to be suffering from venereal desease shall be kept, as far as possible, separated from the other inmates of the Protective Home or corrective institution. Person suffering from minor ailments shall be treated by the Medical Officer of the Protective Home or corrective institution. If any person is suffering from serious illness, she shall be taken to the nearest hospital for admission and a report shall immediately be sent to the District Magistrate. A copy of the report shall be simultanously sent to the Chief Inspector.

Admission of Children accompanying inmates into protective home or corrective institution

9. (I) A child below seven years of age in the care of its mother who is detained or ordered to be kept in the Protective Home or corrective institution may also be admitted to the home or institution along with her, if it cannot be placed with its relative or otherwise properly provided for. If any question arises as to whether a child is below seven years of age or not, such question shall be determined by the Superintendent.

(2) A child born in the home or institution after the admission of the inmate into the Protective Home or Corrective Institution may remain with her.

(3) No child shall be kept in the Protective Home or Corrective Institution if it has completed the age of seven years. On a child completing such age, the Superintendent shall intimate the fact to the Chief Inspector with a view to his/her making arrangements, if possible to place the child with its relatives or to produce it before the Child Welfare Board/Children's Court/ Juvenile Court constituted under the children Act for such order as may be deemed fit by the competant authority under the children Act.

(4) A child kept in the Protective Home or Corrective Institution shall be allowed such dish and clothing as the medic officer attached to the home or institution may think fit.

Case records

10. A record comprising of a history ticket in FORM VII and other information regarding the study classification and placement of the inmate and her responsiveness to institution and treatment shall be maintained in respect of each inmate.

Medical Examination

11. Every inmate shall be medically examined and weighe once in every month and the result of such examination an weighment shall be recorded in the history ticket of the inmate. A statement in FORM VIII shall be submitted by the Superintendent before the 10th of every month to the Chief Inspector showing the weighment statistics of the Protective Home or Corrective Institution.

Strength of establishment of Protective Home or Corrective Institution

12. The strength of the establishment including executive, clerical and correctional personnel of each Protective Home or licenced by the Government, shall be determined by the Government from time to time in consultation with the Chief Inspector. The Government, in consultation with Chief Inspector, may also assign duties to them. Necessary arrangements for medical aid of the inmates shall be made by the Government in consultation with the Chief Inspector.

Superintendent

13. (1) Each Protective Home or Corrective Institution shall be headed by a whole time Superintendent, preferably a woman, who is professionally trained in Social Work, or has a wide experience in women welfare. In performing his/her duties executive and clerical by as many specialists, such as Case Workers, Psychologists etc. as considered necessary by the Government for home or institution under his/her charge, the Superintendent shall generally be responsible for the observance of all rules and orders, the Supervision of the subordinate staff and the maintenance of discipline among the inmates. He/She shall, in his/her own handwriting maintain an office journal in which shall be

recorded daily every occurence of importance connected with the management of the home or institution, which is not otherwise disposed in the register of correspondence and which it is desirable to note for future guidance. The journal shall be forwarded to the Chief Inspector at the end of each month, who shall immediately return it after perusal with such remarks as he/she may consider necessary.

(2) The Superintendent of a Corrective Institution shall pay special attention to the individual problems of each inmate under his/her charge and for this purpose he/she shall ensure that a systematic programme of study, classification, placement, recovery, education and rehabilitation is planned for them.

Duties of Superintendent

14. In addition to other duties assigned by Government from time to time, the Superintendent shall —

(a) be in-charge of general supervision and sanitation of the home and the health of inmate;

(b) make an optimum use of the institutional resources in providing the inmates the requisite opportunities for personality reconstruction and reformative treatment;

(c) be responsible for the discipline of the subordinate staff;

(d) be in-charge of maintaining general accounts, disbursing bills, custody of jewellery, cash and other belongings of the inmates;

(e) be in-charge of office correspondence and public relations;

(f) arrange meetings of the board of Visitors and submit immediately the reports of the meetings to the Chief Inspector;

(g) make surprise inspection of provision stores at least once a month, shall visit the home or institution at unspecified hours at least twice a month during night and check that every thing is in order;

(h) be responsible for submitting statements and returns under these Rules in addition to such statements and returns as may be prescribed by the Government in consultation with the Chief Inspector from time to time;

(i) be responsible for the purchase of provisions as the orders issued by the Chief Inspector from time to time. He/She shall also see the rations weighing and served out to the cooks, and shall, with the Medical Officer, inspect the food daily when it is cooked and ready for distribution to make sure that the full quantity reaches the inmates;

(j) be responsible for all the roperty of the Protective Home or Corrective Institution and all money and stores received.

Weekly Inspection

15. (1) On morning in every week, which shall usually be Monday, the Superintendent shall hold a thorough inspection of all the inmates at which the Medical Officer shall also be present. At each such inspection the Superintendent shall satisfy himself/herself,—

(a) That every inmate is provided with proper clothing and bedding;

(b) That they are clean and tidy; and

(c) That the rules and orders applicable to inmates are being duly carried out.

(2) The Superintendent shall, at every such inspection, hear and enquire into any complaints and requests that the inmates may wish to make. It shall be his/her duty to hear the complaint and requests of inmates patiently and to afford sonable facilities for making complaints and requests.

(3) Nothing in this rule shall debar any inmate from making a complaint or request to the Superintendent at other times than at the weekly inspection, and it shall be the duty of every member of the staff to produce before the Superintendent without delay any inmate desiring to see him/her.

Documents to be kept in the personal custody of the Superintendent

16. The following documents shall be kept in personal custody of the Superintendent, namely:—

(a) Contract agreement bonds;

(b) Contractor's and subordinates Security deposit receipts of Post Office Saving Bank Account Books and Post Office Cash Certificate.

(c) Personal files, service books and character rolls of the staff.

Previous sanction required to leave station by the Superintendent.

17. Without the written sanction of the Chief Inspector, the Superintendent shall on no account, absent himself/herself from the station.

Office Order Book

18. The Superintendent shall maintain an order book for the Protective Home or Corrective Institution in which he/she shall record standing orders issued to his/her subordinates from time to time. He/She shall, by an order allot the various duties to his/her subordinates.

Duties of the Medical Officer of protective Home or Corrective Institution

19. (1) In addition to such other duties as may be assigned to the Medical Officer of a Protective Home or Corrective Institution by the Government from time to time in consultation with the Chief Inspector, the Medical Officer shall visit the Protective Home or Corrective Institution every day except on Sundays and other holidays, if and when necessary even on Sundays and holidays also.

He/She shall attend to the health and cleanliness of the inmates; the treatment of the sick, the sanitation of the Protective Homes or Corrective Institutions, general inspection and supervision of food and all other matters connected directly or indirectly with the health of the staff and inmates of the home or institute.

(2) On each visit to the Protective Home or Corrective Institution, the Medical Officer shall enter his/her remarks in the Register in Form IX.

(3) The Medical Officer shall accompany the Chief Inspector during his/her inspection of the Protective Home or Corrective Institution.

(4) During the absence of the Superintendent of short leave (other than casual leave) or during a vacancy in the post of Superintendent for a short period; and if there is no Deputy Superintendent to hold her/his charge, the Medical Officer, with the previous approval of Chief Inspector, may act, if called upon to do so, as the Superintendent, in addition to his/her own duties.

Education and training of inmates of Protective Homes and Corrective Institutions

20. (1) Provision shall be made for general education and training programmes in all Protective Homes and Corrective Institution shall, as far as possible provide for vocational training of inmates in keeping with their aptitutes, interests and rehabilitative requirements. All inmates, unless physically incapable, diseased or sick, shall be engaged on constructive works.

(2) Each protective Home or Corrective Institution shall be provided with such facilities of education and training as approved by the Chief Inspector. The curricula or education and vocational training to be followed in a Protective Home or Corrective Institution shall be drawn in consultation with the Director of Education or the Director of Employment and Training or other concerned Departments of the State Government. If found necessary the facilities for education and vocational training available in the community shall also be purposefully availed of for the benefit of inmates with the approval of the Chief Inspector.

(3) Adequate number of trained teachers and qualified instructors shall be appointed for imparting education and vocatio-

nal training to the inmates. In an emergency, such teachers and instructor may be directed by the Superintendent to attend to the executive or administrative duties as well.

Daily routine of Protective homes or Corrective institution

21. The daily routine of the inmates shall be fixed by the Superintendent with the approval of the Chief Inspector, generally on the following lines, namely :-

6:00 a.m. to 7:00 a.m. taking bath etc.
7:30 a.m. to 7:45 a.m. Morning Prayer.
7:45 a.m. to 8.15 a.m. Breakfast.
9:00 a.m. to 1:00 p.m. Education and Vocational Training.
1:00 p.m. to 2:00 p.m. Lunch and Rest.
5:45 p.m. to 6:45 p.m. Evening Prayer.
6:45 p.m. to 7:30 p.m. Dinner.
7:30 p.m to 9:30 p.m. Study and leisure time activities.

NOTE :

(1) Daily routine may be suitably modified on Sundays and other holidays. Saturdays shall be observed as half holidays.

(2) In corrective institutions, the daily routine of inmates shall be so regulated as to provide an ample scope for an individualised correctional treatment of different types of inmates.

Diet of inmates in protective homes or corrective institutions

22. All inmates of protective homes and corrective institutions shall have diet in accordance with the scales and instructions that may be fixed and issued by the Government.

Supply of clothing etc. to inmates of Protective Homes or Corrective Institutions

23. (1) The inmates of the Protective Home or Corrective Institution shall be provided with clothing, bedding and other articles in accordance with the scale prescribed by the Government from time to time.

(2) Each inmate shall be supplied with one steel box, one plate, one mug, one bowl, one comb and one mirror, and for the purpose of washing clothes, one bar of washing soap per month, and for bathing purpose one case of soap per month be supplied to him/her. Tooth powder, twigs, or other means of cleaning teeth shall also be given for daily use.

(3) All articles of inmates, clothing, bedding etc. shall be washed and exposed to the sun and disinfected and fumigated at fixed intervals. All such articles be sterilised before initial use and subsequent issue.

Living space for Protective Homes or Corrective Institutions

24. Every inmate shall have a separate bed with a floor space of not less than 2.5 metres by 1.5 metres per bed. A place shall be alloted for every inmate in the dormitory.

Religious and moral instructions

25. (1) The Protective Homes and Corrective Institutions shall not be used as a means of fostering any one religion at the expense of secularism shall be maintained strictly.

(2) Religious and moral instructions to inmates of Protective Homes and Corrective Institutions shall be allowed on condition that no proselytising is carried on under the cloak of such instructions and that nothing is done to take the inmates away from the religion professed by them. These instruction, group prayers, devotional songs which can be recited by person of all religion; selected reading of literature dealing with ethics and universal principles of religious; study of the lives of saints, social reformers and moral teachers and moral lecturers, talks and discourses.

(3) The Superintendent shall endeavour to secure the services of honorary moral teachers and instructors; and in their absence, the senior members of the staff preferably the teachers, shall be deputed to impart religious and moral instructions to the inmates of their own faith at least once a week.

(4) The selection of honorary moral teachers and instructors shall be made by the Chief Inspector in consultation with the District Magistrate.

(5) The Chief Inspector may, remove from the list of honarary moral teachers and instructors the name of any such teacher of instructor if he/she is found unsuitable for the purpose.

Libraries of Protective Home and Corrective Institution.

26. Every Protective Home or Corrective Institution shall be provided with a library of suitable books and periodicals with a catalogue. The choice of books and periodicals shall be made by the Superintendent and approved by the Chief Inspector in keeping with the requirements of character building and self-improvement of inmates.

Attendance of the inmates of Protective Home or Corrective Institutions before Police or Magistrate

27. Any inmate whose attendance is required before the police or before a court shall be permitted to leave the protective home or corrective institution for the purpose only on receipt as a written requisition signed by the Inspector General of Police or by Police Officer not below the rank of a Deputy Superintendent of Police as authorised by the Inspector General of Police or by Police or a summon issued by the Court of competant jurisdiction. The inmate shall in such cases be accompanied by the Superintendent or by any other member of the staff considered suitable by the Superintendent.

Escape and recapture of inmate of Protective Home or Corrective Institution.

28. (1) The Superintendent shall give immediate notice of the escape or recapture of any inmate of the home or institution :-

(a) to the Chief Inspector

(b) to nearest Police Station and

(c) to the District Magistrate.

(2) On receipt of a notice of escape under sub-rule (1), the Officer-in-charge of the Police Station shall take necessary steps to recapture the inmate and to bring her back to the home or institution from which she escaped.

(3) The time which elapses after the escape of an inmate till her recapture under sub-rule (2) shall be excluded in computing the period of her detention in the home or institution.

Death of inmate

29. In the case of death of any of the inmates, the Superintendent shall immediately report the circumstances of the case to the Chief Inspector and the District Magistrate simultenously, the parents or guardians or relatives of the deceased inmate shall also be informed, immediately.

Transfer of inmates

30. (1) The Chief Inspector may at his own or on the report of the Superintendent, order transfer of any person detained in a protective home or corrective institution–

(a) to another protective home or corrective institution, as the case may be, if such a transfer is considered necessary for the welfare of the inmate or in the interest of the institutional discipline or for want of proper accommodation; and the ground on which the transfer is made shall be recorded in the writing;

(b) to a corrective institution from a protective home if the attitude, behaviour and conduct of the person is such that she requires an intensive corrective treatment;

(c) to a protective home from a corrective institution if the attitude, a behaviour and conduct of the person and other relevant circumstances including the kind of facilities required by her warrant such a transfer :

Provided that the total period of detention of such person shall in no case vary by an order under this rule.

(2) Without prejudice to any disciplinary action under these rules, the Superintendent, with the prior approval of the Chief Inspector, may report to the court the case of any person defined in a protective home or corrective institution, as the case may be who is found to be incorrigible or exercising bad influence upon other inmates of the home or institution or whose presence becomes detrimental to the discipline of the homes or institution, and the court may thereupon, if satisfied, convert the balance of her detention period in a home or institution or part thereof into a term of imprisonment :

Provided that the period converted into a sentence of imprisonment by the court shall not exceed three months at a time.

(3) On receipt of the order of the court under the foregoing sub-rule, the Superintendent shall forthwith transfer the person alongwith the detention warrant to the prison for execution of the sentence of imprisonment.

(4) The Superintendent of the prison to which any person is ordered to undergo a sentence of imprisonment under sub-rule (2) shall inform the Superintendent of the Protective Home or Corrective Institution as the case may be, of the due date of the expiry of the term of imprisonment at least fifteen days in advance.

(5) On receipt of information under the foregoing sub-rule, the Superintendent shall bring or cause to bring the person to the Protective Home or Corrective Institution, as the case may be, on the expiry of sentence of imprisonment ordered under sub-rule (2), for undergoing the remaining period, if any, or her detention in a Protective Home or Corrective Institution.

(6) The Superintendent of a prison of which a person is Sentenced under section 7 or section 8 of the Act may at any time, report to the court, the case of any person who requires prolonged protection or such instruction and discipline as are conductive to her correction; and the court may thereupon, if satisfied, pass an order of detention in a Protective Home or Corrective Institution as the case may be for a term not being less than two years, and not more than five years, as the court thinks fit.

(7) On receipt of the order of detention from the court under sub-rule (6), the Superintendent of the prison shall forthwith transfer the person alongwith the warrant of detention to the Protective Home or Corrective Institution as the case may be.

(8) The detention order as aforesaid shall be executed in the same manner as a detention order passed under section 10A of the Act.

Visit to and communications with the inmates of Protective Homes and Corrective Institutions

31. (1) No inmate shall be allowed to the visitors or receive letters without the express permission of the Superintendent and no male visitor shall be permitted to interview any of the inmates except in the presence of the Superintendent or any other member of the staff of the home or institution so authorised by the Superintendent in this behalf.

(2) Every inmate newly admitted to a Protective Home or Corrective Institution shall be allowed reasonable facilities for seeing or communicating with her relatives, friends or legal advisers for the preparation of an appeal.

(3) Parents and guardians may visit inmates of a Protective Home or Corrective Institution on Sunday between 4:00 P. M and 6:00 P. M. For very urgent reasons, visitors may be allowed on other times with the special permission of the Superintendent. The previlege of receiving visitors may be refused on the orders of the Superintendent as a punishment for misconduct by the inmate, or if it is used to introduce any prohibited article into the home or institution or if the parent or guardian has or is likely to have, in the opinion of the Superintendent, a bad influence on an inmate or inmates or for any other sufficient cause. The Superintendent shall record his/her reasons for such refusal in the office journal.

(4) Every inmate shall be allowed to write or receive a letter once a month during the period of her detention or stay in the home or institution subject to the condition of good conduct.

(5) If the address of the parents or guardians is known, they shall be given notice of any serious illness of the inmate and the Superintendent shall answer any reasonable enquiries made by the parents or guardians.

(6) Inmates shall be allowed, if they so desire, special letter in order to inform the parents or guardians of their transfer from one protective home or corrective institution to another, this shall not be counted as a letter for the purpose of sub-rule (4).

(7) No letter shall be delivered to or sent by an inmate unless the Superintendent has satisfied himself/herself that its transmission is unobjectionable.

(8) The Superintendent may at his/her discretion grant interview, or allow the despatch or receipt of letters at shorter intervals than those provided in sub-rule (4) inspite of the inmatas misconduct, if he/she considers that special or urgent grounds exists for such a concession.

(9) A register shall be maintained by the Superintendent for recording the visits of parents or guardians of the inmates of the home or institution. Cases of refusal to permit visit shall be recorded in this register with reasons.

(10) A register of correspondence between the inmates and their parents and guardians shall be maintained.

Permission to inmates to absent themselves for short

32. (1) With the previous sanction of the Chief Inspector, and in every special case the Superintendent may grant to any inmate, leave of absence for a period not exceeding four weeks on the death of the parent or to visit the parent or guardian

period from Protective institution

who is seriously ill. The Chief Inspector may extend the leave already granted. The leave granted may at any time be cancelled or curtailed without assigning any reason and the inmate recalled.

(2) The period during which an Inmate is absent from the Protective Home or Corrective Institution under sub-rule (1) shall be deemed to be a part of her detention in the home or institution.

Discipline and punishment

33. The following acts are forbidden in a Protective Home or Corrective Institution and every inmate who wilfully commits any of them shall be deemed to have wilfully disobeyed the regulations of the Protective Home or Corrective nstitution, namely :-

(a) quarrelling with any other inmate ;
(b) any assault or use or criminal force;
(c) use of insulting obscence or threatening language;
(d) immoral or indecent or disorderly behaviour;
(e) wilfully disabling herself for labour;
(f) contumaciously refusing to work;
(g) wilful idleness and negligence at work;
(h) wilful damage to the property;
(i) wilful mismanagement of work;
(j) tampering with or defacing history tickets, record, documents or tools;
(k) receiving, possessing or transfering any prohibited article;
(l) feigning illness;
(m) wilfully bringing a false accusation against any officer or inmate;
(n) omitting or refusing to report, as soon as it comes to her knowledge, the occurence of any fire, any plot or consipiracy, any escape attempt or preparation to escape or any attack upon any inmate or official;
(o) conspiring to escape or to assist in escaping;
(p) answering untruthfully any question put up by an officer or a visitor;
(q) refusing to eat food or wilfully destroying food;
(r) committing a nuisance.

2. The Superintendent may award any of the following punishments for the act or acts specified in sub-rule(1)

(a) deprivation of play hours;
(b) temporary cessation of visits from parents or guadians;
(c) and change to labour of severe nature for a period not exceeding three months.

3. A punishment book shall be maintained by the Superintendent, who shall record full particulars of the punishment inflicted by him/her together with the nature of offences, the names of the offenders and the number of previous punishments awarded to them.

34. An extract from the punishment book shall be sent by the Superintendent to the Chief Inspector before the 16th of every month.

Prohibited articles

3. Liquor and all kinds of intoxicating drugs and Psychotropic substances shall be the prohibited articles and shall not be introduced, received, possesed or transferred in the Protective Home or Corrective Institution.

Treatment mental cases

35. When an inmate of a protective Home or Corrective Institution is sent to a Government Mental Hospital for observation or treatment, action shall be taken by the Superintendent under sub-section (2) of section 6 of the India Lunacy Act,1912(Central Act 4 of 1912) for obtaining reception orders. An inmate who is taken to the Government Mental Hospital with such reception order shall be treated as 'Civil Patient'.

Removal to Civil Hospital for treatment

36. (1) Whenever the Medical officer of a protective Home or Corrective Institution considers it necessary to remove an inmate to a Civil Hospital for treatment as an indoor patient, he/she shall draw up a full statement of the case and forward the same to the Superintendent, who shall forthwith cause the inmate concerned to be sent to the Hospital temporarily.

(2) The inmate shall immediately proceed under escort to the hospital and present herself to the officer-in-charge of the hospital.

(3) The inmate shall be an indoor patient in the hospital and shall not leave it until formally discharged therefrom.

(4) The authorities of the hospital shall give intimation to the Superintendent concerned before discharging the inmate from the hospital. On receipt of intimation, the Superintendent shall arrange for an escort to fetch the inmate. The railway warrant, subsistance allowance, bus or other fare and any other allowance, necessary for the inmate and the escort shall be given to the escort so arranged by the Superintendent. Such charge shall also be paid to the escort while removing the inmate from the Protective Home or Corrective Institution to the hospital.

(5) When an inmate is removed for treatment to a Civil Hospital, no charges shall be made against the Protective Home or Corrective Institution for the treatment and diet given to the inmate in the Hospital.

Period spent in Hospital

37. When an inmate is sent to a Government Mental Hospital or as an indoor patient to a Civil Hospital, the period spent by her in such Hospitals and going there and return therefrom shall be deemed to be part of the period of her detention or stay in the Protective Home or Corrective Institution.

Discharge of inmates from Protective Home or Corrective Institution

38. (1) On a report from the Superintendent, the Chief Inspector may order any person detained in a Protective Home or Corrective Institution , whose behaviour found to be good and that she is unlikely to commit any offence under the Act, to be discharged without or with conditions as he/she deems fit to impose and grant her a written licence of such discharges in FORM X:

Provided that no such person shall be discharged no licence unless she has resided in the Corrective Institution for a period not less than one third of her detention, as the case may be.

(2) The Superintendent shall at each month prepare a statement of inmate who have to be discharged in the subsequent month and read out the statement to the inmates. As such, cases in which the inmate have no such place to go back, shall be reported by Superintendent to the Chief Inspector, at least one month before the date of their discharge from the home or institution, for rehabillitative placement as the Chief Inspector deems appropriatate.

(3) On the day of discharge, the inmate's state of health shall be recorded by the Superintendent in the inmates' Register. He/She shall compare the entries in the warrant of commital with those in the Register and shall satisfy himself/herself that they agree and that the term of the inmate has been duly served. He/she shall then sign the endorsement for discharge the warrant, certifying to the due expiry of the term. The belongings of the inmate shall be handed over to her and the details recorded in the appropriate column in the inmates' Register. The inmate shall be given food for the day before she is discharged. The inmate shall, if necessary be provided with suitable clothing.

(4) Every discharged inmate whose destination is on or near a line of railway shall be supplied with a railway ticket of the lowest class. Payment of the fare shall be made by railway warrant where the cost of the journey exceeds Rs 20/-. In other cases, payment shall be made by cash. When a journey is to be made hy boat, bus or steamer, the inmate shall he provided with passage money to the halting place nearest to her destination at the lowest rate. Every inmate who has to proceed a distance of more than 9 kilometres by road or more than 3 hours journey by rail or other mode of conveyance shall on discharge be paid with subsistance allowance at the rate of Rs 4/- if the journey is to be completed on the following morning, and Rs. 6/- per day otherwise.

(5) In cases where the parent, relative, husband or guardian of the discharged inmate fails to make his/her own arrangement to take charge of the inmate at the Protective Home or Corrective Institution, the inmate on discharge shall be sent under the charge of an official of the home or institution who shall be responsible for the care and safety of the inmate until she is handed over to such parent, relative, husband or guardian. The official be granted travelling allowance for the to and fro journey at the rates admissible under the rules of the State Government.

(6) The Government may at any time order suitable inmates of the Protective Home or Corrective Institutions to be admitted into institutions established under the after Care Programme of the State Government.

(7) A disposal register in FORM-XI shall be kept in every Protective Home or Corrective Institution in which full particulars shall be entered of the manner in which every inmate is disposed of on discharge and of her after care. Every effort shall be made by the Superintendent to keep in touch with the inmates for at least 3 years after their discharge.

(8) An annual return FORM-XII shall be made by the Superintendent to the Chief Inspector. The report made by the Board of Visitors from time to time during the years to which the return relates shall also be communicated to the Chief Inspector with the return.

Marriage of inmates of Protective Home and Corrective Institution

38. (1) The Superintendent may, if possible, arrange for the marriage of an inmate with a man of her own religion provided that she has attained the age of 18 years and that her previous consent about marriage is obtained in writing and she shows her willingness to get married to the particular man. No monetary consideration shall be accepted from the person whom the inmate is married or from any person interested in him.

(2) No such marriage shall be performed unless the character, antecedents and background of the man has been verified and he is found fit for the marriage. Permission of the District Magistrate may be obtained in each case. Permission of the District Magistrate may be obtained in each case.

Chief Inspector of Protective Home and Corrective Institution

40. (1) The Government shall appoint a Chief Inspector for all the Protective Home and Corrective Institutions in the State.

(2) Among other duties assigned to him/her by the Government from time to time, the Chief Inspector shall :-

(a) superintend, supervise and control the working of these rules ;

(b) have general control over the staff in all Protective Homes and Corrective Institution in the State;

(c) inspect all Protective Homes and Corrective Institutions whether established or licenced by the Government at least once a year and submit his/her inspection in report to the Government.

Board of Visitors

41. (1) The Government may appoint, for any local area, Board of Visitors to visit once a month the Protective Homes and Corrective Institutions situated within such local area and to comment and advise on matter effecting the administration of such Protective Homes and Corrective Institutions.

(2) The Government may appoint a Board of Visitors to work as its members such officials and non-officials as deemed necessary, the total member being not less than three and not more than seven one of whom shall be nominated as President, Non-official members may include experienced Social Welfare Workers, especially women, the field of the suppression of immoral traffic in persons.

(3) A non-official member shall hold office for two years from the date of his/her appointment and shall be eligible for re-appointment.

(4) It shall be the duty of the Board :—

(a) to enquire into and see that the arrangements for the care and welfare of inmates in the Protective Homes and Corrective Institutions are proper in all respects;

(b) to interview new admissions since the last meeting and to hear any representations that the inmates may desire to make;

(c) to review the working of correctional programmes and to suggest measure for further improvements;

(d) to help in the rehabilitation of persons discharged from the Protective Homes and Corrective Institutions;

(e) to carry out any other duties which may be assigned to the Board from time to time by the Government.

(5) The Board shall hold a formal meeting every three months. The meeting shall be held in the Protective Home or Correctiv Institution by rotation. The Superintendent of the Protective Home or Corrective Institution in which the meeting is held shall be the Secretary of the Board for the meeting.

(6) No business shall be transacted at the meeting of a Board unless at least three members are present.

(7) The President shall preside over every meeting of the Board at which he/she is present. If the President is absent from any meeting, the members present shall elect one of the members to preside over the meeting and the member so elected shall at that time exercise all the powers of the Presidents.

(8) The President of the Board shall fix the date and hour of the meeting a week before the date so fixed, a notice thereof, together with an abstract of any special matters to be considered, shall be furnished to the members by the Secretary of the Board.

(9) The minutes of each meeting shall be approved by the President and sent by the Superintendent of the Protective Home or Corrective Institution in which the meeting is held to the Chief Inspector with his/her remarks.

(10) The Superintendent of each home or institution shall bring to the notice of the Chief Inspector all cases of failure on the part of any member to attend a meeting. The Chief Inspector shall keep a record of such cases of absence and shall, when any non-official member's attendance is markedly irregular, bring the facts to the notice of the Government who may, it considered necessary remove such member from office.

(11) The Superintendent shall be advised by the resolutions of the Board in the management of the home or institution; provided that, if, in the opinion of the Superintendent, it would be inconsistent with the Act or these rules, or inexpedient to give effect to any such resolution, he/she shall submit the resolution for the orders of the Chief Inspector and inmate to the President of the Board, the fact of his/her having done so. The order of the Chief Inspector shall be final. It will, however, be subject to review by the Government who may confirm, rescind or modify such order.

Visitors Book

42. The Superintendent shall cause a visitors' Book be maintained at each Protective Home or Corrective Institution. A copy of the remarks of a visitors recorded in the Visitors' Book shall be submitted by the Superintendent to the Chief Inspector soon after the remarks are recorded by the visitor.

Annual returns

43. The Superintendent shall submit to the Chief Inspector a report on the administration of his/her Protective Home or Corrective Institution for the previous year, not later than 15th May of each year in the form prescribed by the Government. The Chief Inspector shall send annually to the Government in the first week of July each year a report on the working of these rules together with his/her remarks, if any.

Maintenance and auditing of accounts

44. (1) The accounts relating to the cash transactions will be maintained by a responsible officer of the cadres of an Accountant of the Protective Home or Corrective Institution.

(2) A bank account shall be opened for each by belonging to the Protective Home or Institution. The retention of heavy cash balance on hand is forbidden.

(3) A cash book shall be maintained wherein all daily transaction shall be recorded. All receipts and payments of cash are to be supported by proper vouchers. A balance Sheet will be drawn at the close of every month.

(4) The cash book and cash balance will be checked by Superintendent daily or as frequently as practicable.

(5) Half-Yearly auditing of all the accounts of the protective Home or Corrective Institution shall be got done by Government Auditors, and audit report submitted to the Chief Inspector for scrutiny.

Punishment for breach of rules

45. Any person who commits a breach of rule 7 or rule 34 of these rules shall on conviction by a Magistrate be punishable with fine which may extend to two hundred and fifty rupees.

Repeal and saving

46. The Supression of Immoral Traffic in Women and Girls Rules 1985, as presently in force, shall stand repealed on and from the date of the commencement of this Rules.

Provided that any action or actions taken under such Rules so repealed shall be deemed to have been taken under these Rules.

FORM—1

Form of Undertaking (See rule 4 (1))

In the court of the .. .. Magistrate.

I, ... do hereby declare that I am willing to take charge of .. .. aged .. .. under the orders of the Court, subject to the following terms and conditions;

(i) I shall do my best for the welfare of the persons as long as he/she remains in my charge and shall make proper provision for his/her maintenance.

(ii) If the person's conduct is unsatisfactory, I shall at once inform the Court.

(iii) In the event of the person's conduct is unsatisfactory, I shall at once inform the Court.

(iv) The person shall be free to follow the observance of his/her own religion.

(v) I undertake to produce him/her before the court when so required.

FORM—II

WARRANT OF DETENTION (See rule 5)

IN THE COURT OF ... . To the Superintendent of the Protective Home/Corrective Institution at .....

Whereas particulars of whom are furnished below has been ordered by me to be detained in a Protective Home/ Corrective Institution for a period .....from .....under sub-section (3) of section 10A/sub-section (4) of section 17, sub-section (3) of section 19 of the Prevention of Immoral Traffic Act, 1956 as amended.

This is to authorise and require you the said Superintendent to receive the said ..... into your custady together with this warrant and tnereto detain her for a period referred to above in accordance with the Mizoram, Prevention of Immoral Traffic Rules, 1994 and to return this warrant with an endorsement certifying manner of its execution.

Particulars.

1. Name of the person
2. Age
3. Religion
4. Marks of identification
5. Offence charged
6. Offence for which convicted
7. Sentence pass
8. Date of sentence
9. Period of detention
10. Given under my hand and seal of the Court, this .....

FORM III

Form of application for Licence

(See rule 7(1))

1. Full name of the applicant or association (if registered a copy of the registration certificate and particulars of all members of the association shall be given).
2. Religion.

3. Residence (Town or Village)
Police Station.....
District.
(Note:- In case of association, particulars regarding item 2 and 3 be mentioned in respect of each member)

4. Name of the Institution.

5 Aims and objects of the Institution.

6. Details about the financial condition of the Institution, funds, property and sources of income.

7. Arrangements made or proposed to be made for boarding and lodging, also details of the building, whether owned by the institution or rented.

8. Arrangement in respect of general health of inmates and facilities for their medical treatment and arrangements proposed to be made for education, vocational training and moral instructions designed to make them fit for rehabilitation in life as normal citizens.

9. Full address of the proposed institution including the name of the city or town and the locality.

10. If any such application has been made previously, please state it's result together with its date, month and year.

11. If the institution exists at present, the date of its commencement, annual reports of its working if prepares or its working to date.

12. Number and particulars of inmates at the time of opening the institutions.

13. Maximum number of accommodation for children and women.

14. Any other particulars.

I/We ..... hereby solemnly affirm that the above and annexed particulars are true to the best of my/our knowledge and belief.

Signature (s) with date and
Place and name in block letters.

FORM-IV

LICENCE

See rule 7 (2)

Sl.No Licence	Name and full address of the protective home/ corrective institution.	Name and full description and residence of licence.	Name in full the manager of Protective Home/ corrective Institution	Particulars of services to be rendered by the institution	Restrictions as to number of inmates	Date of expiry of licence.	REMARKS

the ..... of ..... 199.. (Seal) Licensing Authority.

CONDITIONS

1. This licence is granted subject to all the provisions of the Prevention of Immoral Traffic Act, 1956 as amended and the MIZORAM Prevention of Immoral Traffic Rules, 1994.

2. The licence shall affix on conspicious part of the Protective Home/Corrective Institution a sign board on which shall be pointed in capital letters in English and Mizo Language the name of the Protective Home/Corrective Institution.

3. The Licence shall not be transferable.

4. The Licence shall remain in force for a period of one year from the date of issue.

5. The Licence shall wherever practicable entrust the management of the Protective Home/Corrective Institution to Women.

* Local Language.

FORM V

Form of application for renewal of Licence.

(See rule 7 (3))

1. Full name of the applicant or Association (if registered, acopy of the registration certificate and particulars of all members of the association should be given) .

2. Religion.

3. Residence (town or village).

4. Name of the institution.

5. Licence number and year.

6. Any other particulars.

Signature (s) with date and place and name in block letters.

FORM-VI

The inmates Register

See rule 8 (1)

Name of the Protective Home/Corrective Institution.

1. Name of the Inmate.

2. Father's name or husband's name.

3. Age.

4. Caste or religion, previous occupation, if any,

5. Previous place of settled residence, if any, (town or village), sub-division and district.

6. Height.

7. Weight.

8. Marks of identification.

9. General Health.

10. Ability to do any skilled work.

11. Calendar number of the case, and sentencing authority.

12. Period of detention and date or transfer to another home/institution.

13. Work assigned.

14. Particulars and value of property delivered with or fund on the inmate on admission, or subsequently received on her account with a signature or left thumb print or the inmate in acknowledgement or correctness of each occasion and on disposal.

15. Initials of Superintendent or his sub-ordinate (with dates) in taken or having received the property into his/her charge.

16. Remarks showing how the inmate has been disposed of after expiry of the detention or transfer. Initials of the Superintendent or his sub-ordinate in taken of the accuracy of the entries.

17. State health and weight on the date of discharge.

18. Initials of the Medical Officer (with date).

Note :- Particulars about health should be entered by the Medical Officer.

FORM-VII

History Ticket

(See Rule 10)

Name of Protective Home/Corrective Institution.

1. Date of admission.

2. Date of expiry of the period of detention.

3. Serial number in the Inmate's Register.

4. Name

5. Age

6. Height

7 Weight on admission.

8. Diet.

9. Nature of work assigned

10. Remarks of health on admission.

11. Remarks (Punishment warded,etc.)

12. Results of monthly medical examination and weighment.

Date : State of health Remarks and initials of the Superintendent.

Note :- Particulars about health should be entered by the Medical Officer.

FORM—VIII
(See rule 11)

Statement showing the gain or lost in weight for inmates in

Name of the Protective Home/Corrective institutions .....
for the month of.....

Name of Protective Home/Corrective Institution.	Total No of inmates weighed.	No. of inmates lost weight.	No. of inmates gained weight.	No. of inmates whose weight have not changed.	Average gain in weight
1	2	3	4	5	6

FROM IX
Medical Officer's Journal
(See rule 19(2))

Name of the Protective Home/
Corrective Institution.

Month and date	Observation or of the medical	Direction Officer.	Remarks of the Superintendent.
1	2		3

FORM-X

(See Rule 38 (1))

Licence for a person discharged from a Protective Home/Corrective Institution.

No. Place .. ..

Date .. ..

I .. .. Chief Inspector appointed to the Mizoram Prevention of Immoral Traffic Rules, 1994 do hereby permit person by name .. .. aged years being kept in custody/detention under sub-head (1) of section 10 A/ Sub-section 17/sub-section (3) of section 19 in Protective Home/Corrective Institution at .. .. .. to live under the charge of ... ... on condition that the said ... . shall take a very care and precaution to prevent the exercise of any evil influence by any person/the said/in .. .. and keep her employed at .. ..

This licence will be in force revoked or forfeited of the person attains the age of .. .. years.

Witness my hand this ... . of 199

Chief Inspector.

FORM — XI

DISPOSAL REGISTER

(See Rule 38 (7))

1. Serial number .....
2. Name of person .....
3. Age .....
4. Caste, Religion and language .....
5. Conduct .....
6. Attainment .....
7. Health .....
8. Medical treatment .....
9. Date of leaving .....
10. Duration of stay .....
11. Remarks .....
12 Signature of Superintendent .....

FORM — XII

Number of persons discharged during the year

(See rule 38 (8))

District ....Town or Village .....

1. Name of the Protective Home ....

2. Number of girls/women discharged during the year .....

Station :
Date :

Superintendent of Protective Home.

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